SINGLE BENCH

(3)

**IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR**

**W. P. NO. 4734/ 2005**

**PETITIONER** : Kamal Kumar Nishad S/o Late S.N. Nishad, aged about 35 years, R/o Village Hirapur, Post Tatibandh, District Raipur (C.G.).

**VERSUS**

**RESPONDENTS** :1. State of Chhattisgarh Through Secretary, Public Works Department, D.K.S. Bhawan, Mantralaya, Distt. Raipur (C.G.)

2. Chief Engineer, P.W.D. (Building & Road), Behind All India Radio, Raipur, Distt. Raipur (C.G.)

3. Superintendent Engineer, P.W.D. (Building and Road), Behind all India Radio, Raipur, Dist. Raipur (C.G.).

4. Executive Engineer, P.W.D. (Building & Road), Division 1, Katora Talab, Raipur (C.G.)

**WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRITS IN THE NATURE OR MANDAMUS, PROHIBITION, CERTIORARI ETC. OR ANY OTHER DIRECTION (S) OR ORDER (S)**

(46)

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

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**S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.**

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**WRIT PETITION NO.4734 OF 2005**

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| Petitioner | : | Kamal Kumar Nishad |
| | versus | |
| Respondents | : | State of Chhattisgarh and others |

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Present : Mr. Ashok Patil, counsel for the petitioner.
Mrs. Anju Ahuja, Deputy Government Advocate for the respondents/State.

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**ORDER**
(Passed on 7th of September, 2006)

The father of the petitioner, namely, Late Shri S.N. Nishad died while working as Assistant Grade-II in the Department of Public Works in harness on 26-3-1999.

2. Thereafter, the petitioner made an application for compassionate appointment, which according to the petitioner was rejected on the ground that the death of the deceased employee took place prior to creation of the present State of Chhattisgarh. .

(47)

3. The Government of Chhattisgarh, by its circular dated 2-2-2006, has directed all the departments to consider cases of all the eligible dependent legal heir of the deceased employees, who died in harness between 1-11-1997 to 31-10-2000, for compassionate appointment.

4. Accordingly, the Government of Chhattisgarh is directed to consider the case of the petitioner as per its own circular dated 2-2-2006 and also in view of the order passed by this Court in Writ Petition No.3879/2004 and other connected matters, on its own merit, in accordance with law, within a period of eight weeks, on such representation being filed by the petitioner.

5. For the reasons above-stated, the writ petition stands disposed of. No order as to costs.

Certified copy as per rules.

**Sd/-**
**Satish K. Agnihotri**
**Judge**

Gopal